

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA**

**v.**

**JOHN WILLIS**

**Defendant.**

**No. 1:11-cr-10212-JLT**

**DEFENDANT'S RESPONSE TO THE COURT'S ORDER  
DATED DECEMBER 28, 2012**

John Willis ("the defendant"), by and through undersigned counsel, filed a motion for an order suppressing all intercepted communications obtained as a result of the submission of applications by the United States Attorney's Office to intercept the cell phone activity of the Defendant and any evidence derived or gained as the fruits of those interceptions. The defendant contends pursuant to 18 U.S.C. § 2518 (10)(a)(ii) that the order of authorization and approval under which the cell phone calls were intercepted was insufficient on its face. The motion, at this time, will require a preliminary review of the initial warrant submitted in support of the wire intercepts. At this time the Defendant would agree that no evidentiary hearing is required. Should the Court determine, an evidentiary hearing pursuant to Franks v. Delaware, 438 U.S. 154 (1978) may be required at a later date.

Dated: December 31, 2012

JOHN WILLIS  
By and through his attorney,

/s/ Charles E. Dolan  
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